



LOS ANGELES COUNTY COMMISSION ON HIV

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While not required of meeting participants, signing-in constitutes public notice of attendance. Presence at meetings is recorded solely based on sign-in sheets, and not signing-in constitutes absence for Commission members. Only members of the Commission on HIV are accorded voting privileges, thus Commissioners who have not signed in cannot vote. Sign-in sheets are available upon request.

JOINT PUBLIC POLICY (JPP) COMMITTEE MEETING MINUTES

November 18, 2009

Approved
1/20/2010

| MEMBERS PRESENT | MEMBERS ABSENT | PUBLIC | HIV EPI AND OAPP STAFF | COMM STAFF/CONSULTANTS |
|--|-----------------|----------------|------------------------|------------------------|
| Whitney Engeran-Cordova, <i>Co-Chair</i> | Carrie Broadus | Aaron Fox | Elizabeth Escobedo | Julie Cross |
| Lee Kochems, <i>Co-Chair</i> | Jim Chud | Miki Jackson | | Carolyn Echols-Watson |
| Kyle Baker | Jeffrey Goodman | Terry Smith | | Jane Nachazel |
| Stephen Simon | Ron Osorio | Lambert Talley | | Craig Vincent-Jones |
| Kathy Watt | Chris Villa | Jason Wise | | |

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- 2) **Minutes:** Joint Public Policy (JPP) Committee Emergency Meeting Minutes, 7/15/2009
- 3) **Minutes:** Joint Public Policy (JPP) Committee Meeting Minutes, 8/19/2009
- 4) **Letter:** Full Funding for the AIDS Drug Assistance Program, 11/17/2009
- 5) **Email:** California faces a projected deficit of \$21 billion, 11/17/2009
- 6) **Policy:** Statement of Administration Policy, S. 1793 – Ryan White HIV/AIDS Treatment Extension Act of 2009, 10/19/2009
- 7) **Legislation:** S 1793: Ryan White HIV/AIDS Treatment Extension Act of 2009, 1/6/2009
- 8) **Letter:** Frizzera, Regarding TrOOP, 10/30/2009
- 9) **Letter:** Pelosi, Regarding TrOOP, 10/13/2009
- 10) **Letter:** Obama, HIV Health Care Access Working Group, 10/12/2009
- 11) **Memorandum:** 2009-2010 Policy and Legislative Agenda, 8/20/2009
- 12) **Legislation:** HR 3091: Incentives for increased use of HIV screening tests under the Medicaid Program (Crowley), 6/26/2009
- 13) **Legislation:** S 1446: Incentives to Increase use of HIV Screening Test Under the Medicaid Program (Gillibrand), 7/14/2009
- 14) **Legislation:** HR 3665: Ryan White Grantee Medicaid Payment Equity Act of 2009 (Baldwin), 9/29/2009
- 15) **Legislation:** S 54: Family law: out-of-state same-sex marriage (Leno), 9/9/2009
- 16) **Legislation:** S 56: California Health Benefits Service Program (Alquist), 1/20/2009
- 17) **Policy Brief:** National HIV/AIDS Strategy (NHAS) Community Discussions, 10/9/2009
- 18) **Matrix:** Public Policy Issues Docket – 2009, 11/17/2009

1. **CALL TO ORDER:** Mr. Engeran-Cordova called the meeting to order at 2:00 pm.
2. **APPROVAL OF AGENDA:**
MOTION #1: Approve the Agenda Order, as presented (*Postponed*).
3. **APPROVAL OF MEETING MINUTES:**
MOTION #2: Approve the 7/15/2009 Joint Public Policy (JPP) Committee Emergency Meeting Minutes and the 8/19/2009 Joint Public Policy (JPP) Committee Meeting Minutes, as presented (*Postponed*).
4. **PUBLIC COMMENT, NON-AGENDIZED:** There were no comments.
5. **COMMITTEE COMMENT, NON-AGENDIZED:** There were no comments.
6. **CO-CHAIRS' REPORT:** Kimberlee Woods resigned from the Prevention Planning Committee (PPC) and, concurrently, JPP.

7. COMMITTEE MEMBERSHIP:

- Mr. Vincent-Jones reported Kevin Farrell, Director, California Center for HIV/AIDS Policy Research, has been invited to join JPP as an appointed Committee Member. He will submit his application if his employer agrees with the invitation.
- Membership on all committees is reviewed after co-chair elections in January to make appropriate adjustments including diversity and representation. JPP continues to be a popular Commissioner choice.

8. STATE BUDGET:

- A statewide AIDS Drug Assistance Program (ADAP) Summit was held 11/10/2009 to start analysis and advocacy. The previous director of New York's ADAP shared strategies and Michelle Roland, Director, State Office of AIDS (OA) called into the morning session.
- The Summit formed committees on planning, advocacy/mobilization, data research. Additionally, a letter was submitted to the Governor demanding full funding for California's ADAP in FY 2010-2011. Currently nine agencies have signed on in support. The letter was submitted with limited community support due to the urgent request from the State Office of AIDS. However, there is a continued effort to obtain signatures from consumers and stakeholders. It was noted that this exemplifies the need for the community to be nimble in its response to this crisis. Ms. Watt recommended agencies signing in support indicate consumers represented by their agency: for example, "Van Ness Recovery House, representing 582 consumers."
- This year ADAP will spend about \$414 million. It grew 23% last year. Between growth and cuts, it is anticipated to cost \$100 million to keep ADAP whole, yet the current State budget deficit is \$21.5 billion and growing. The 12/15/2009 Priorities and Planning (P&P) Committee meeting will address priorities and contingency planning in times of economic hardship.
- Mr. Vincent-Jones said planning must include advocacy, new funding and funding efficiencies before ceding to service cuts.
- Mr. Smith suggested partnering with similarly affected communities, like advocates for healthy families, to magnify advocacy.
- Ms. Watt said State prevention funds are nearly gone. Its decimation advances new infections that burden the whole system. ADAP is one aspect of prevention, but discussion needs to include other ways to fund prevention overall.
- Mr. Vincent-Jones added surveillance is \$7 million and is needed to support the continued receipt of federal funds. Its continued inclusion must be monitored and advocated for.
- Mr. Kochems said behind-the-scenes political pressure might yield results, with some not willing to offer public support.
- Mr. Engeran-Cordova expects three phases: 1) proposed budget, 2) budget process itself, especially in regards to Budget Committee education on the medications' life-saving nature and resistance trajectory and cost; 3) signature by the Governor. He noted AIDS Healthcare Foundation (AHF) has begun legislative meetings and can do web- and phone-based work.
- Ms. Jackson suggested activating friends/families of ADAP clients to multiply the impact to legislators. Video testimonials from consumers and friends/family are inexpensive and can quickly be posted on a micro-website and sites like YouTube.
- Mr. Simon, AIDS Coordinator, City of Los Angeles, will add the City to the ADAP Summit community and coordinate with Mr. Vincent-Jones on a five-signature letter from the Board and coordination with the City's Sacramento lobbyist.
- Staff will summarize ideas under the following groupings:
 1. Advocacy/Mobilization:
 - a. Micro-websites including e-blast and geo-targeting capability and other technology like videos; (e.g., identifying consumers by district that will be impacted by the changes in ADAP) when sending information to Assembly members and/or representatives information;
 - b. Informational materials;
 - c. Consumer letter-writing materials;
 - c. Legislative meetings;
 - d. Legislator-targeted information briefings.
 2. Planning:
 - a. Continue to develop strategies;
 - b. Focus initially on revenue-producing strategies;
 - c. Coordinate planning efforts, especially via the ADAP Advocacy/Mobilization Subcommittee;
 - d. Plan simultaneous World AIDS Day press conferences with an emphasis on ADAP preservation;
 - e. Alternate Revenue Options:
 - Federal intervention;
 - Bridge funding or loan from State or Federal funds: e.g., stimulus funds;
 - Potential assistance through health care reform;
 - Coordination with other states on the ADAP Watch List;
 - ADAP license plates;

- Potential additional assistance from pharmaceutical companies, e.g., expanded patient assistance programs;
- Potential ADAP reforms are being reviewed and prioritized by an ADAP Summit work group.

3. Data/Research:

- ➡ Initiated weekly ADAP advocacy/mobilization conference calls: Mondays, 7:00-8:00 am.

9. **RYAN WHITE HIV/AIDS TREATMENT EXTENSION ACT OF 2009:**

- Mr. Baker reported passage was primarily by consent with a Harkin Amendment to clean up the final Act. The Act is extended four years with continued transition of code- to name-based systems and maintenance of Transitional Grant Areas (TGAs) for three years.
- The cap for retention of underspent funds has been raised from 2% to 5%.
- The Minority AIDS Initiative grant cycle is re-synched with Part A and returns to formula-based with a usage report to Health and Human Services (HHS).
- A national, annual 5 million testing goal is added. One-third of the Part A supplemental as well as the Part B application are based on EMA's ability to identify, diagnose and link people to care with planning council involvement. Both P&P and the Integration Task Force have begun planning. OAPP must report within four weeks for this year's application.
- Mr. Smith reported the PPC will present on HIV Counseling/Testing at the Commission's December 2009 meeting.
- ➡ This agenda item can now be removed from the JPP agenda.

10. **PUBLIC BENEFITS:**

- Ms. Cross reported the Benefits Specialty RFP was released. Applications are due 12/24/2009.
- Medicare Part D open enrollment began 11/15/2009.

11. **HEALTH CARE REFORM:**

- Senator Reid's consolidated bill was released earlier in the day. It is reported as deficit-neutral with \$127 billion in savings over ten years. It is reported to have some insurance market protections.
- The Health Care Reform Subcommittee was disbanded as the process is moving too quickly. True Out-Of Pocket Costs (TrOOP) is in all proposed bills.

12. **CALIFORNIA CENTER FOR HIV/AIDS POLICY RESEARCH:**

- Mr. Engeran-Cordova noted the Commission charged JPP with its coordination with the organization. There are two policy research centers and a provision for rapid research within the grant.
- The Policy Research Advisory Committee (PRAC) first met last week in San Francisco with Mr. Baker, Ms. Cross and Mr. Vincent-Jones in attendance. PRAC identifies issues in need of immediate research. A rapid research team then speaks with providers, consumers and other stakeholders and compiles results for PRAC. It has had difficulty accessing OA data.
- ➡ Ms. Cross will review the desired list of OA data from PRAC and coordinate with the ADAP Summit. She will provide the list to Mr. Engeran-Cordova. He will send it to staff from the Governor's Office who offered to obtain data for him.

13. **LEGISLATIVE REVIEW AND STATUS:** Discussion on surviving legislation was postponed until 2010.

14. **HIV/STD CONTROL IN THE ADULT FILM INDUSTRY:**

- Mr. Engeran-Cordova said the UCLA School of Public Health will host a symposium 12/4/2009 to continue discussion and possible legislative strategies primarily among those in support of HIV/STD control in the adult film industry legislation. Attendance is by invitation, but Commission staff will facilitate one of the activities at the symposium as well as obtaining, invitations for those interested in attending. Public attention has been directed to the issue recently via Nightline and Oprah pieces.
- The Integration Task Force will present at the PPC March 2010 meeting to educate and spur discussion on PPC action.
- Mr. Simon reported the City of Los Angeles has been reluctant to support legislation lacking more data showing higher film industry STD rates. They are attending the UCLA symposium in hopes of a diverse discussion.
- ➡ Mr. Vincent-Jones will ensure Mr. Baker, Mr. Fox, Mr. Smith and Ms. Watt are added to the UCLA symposium email list.

15. **FEDERAL ISSUES:** There was no additional discussion.

16. **HIV SURVEILLANCE:** Mr. Vincent-Jones said there was discussion on cleaning up disparate legislative language on "HIV" and "AIDS." Most work has been done. Douglas Frye is handling the minimal work remaining. No legislation will be needed.

17. PREVENTION:

- Mr. Engeran-Cordova noted a need for Health and Safety code clean-up language as it pertains to State defunding of HIV Counseling/Testing (HC/T) contracts. Current language defined HC/T as a pilot project in 2002-2003 to accommodate oral testing. The certification process and authority of HC/T counselor certification was tied to holding a State contract. The State process to obtain CLIA waivers for testing also needs reform. Many agencies are concerned they are no longer authorized to test. AHF is stretching other contracts to cover HC/T counselors, but other counties/agencies have no contracts to use.
- In a related matter, OA interpreted the bill removing the requirement for written informed consent in medical settings in such a way as to prompt the California Hospital Association to maintain the requirement. A cleaned-up bill would end confusion.
- Mr. Smith reported the PPC has developed recommendations for both the National AIDS Strategy and on transgenders.
- The PPC will host an HC/T Summit 1/22/2009 to foster information exchange including data and coordination to maximize efforts. Invitees will include the City of Los Angeles, AHF, Oasis Clinic, hospitals and testing in jails. OAPP and STD Programs are represented on the PPC. While testing occurs in private settings, this Summit will focus on the public sphere.
- The Latino Task Force is completing its work. It will disband after presentation of its recommendations.
- The PPC Annual Meeting will be in February 2010. A new JPP nominee will be selected at that time.
- ➡ Move prevention higher on the agenda to highlight the subject.
- ➡ Schedule PPC transgender recommendations presentation for the January or February 2010 Commission meeting.

18. CORRECTIONS: There was no discussion.

19. WORK PLAN: This item was postponed.

20. ANNOUNCEMENTS:

- Ms. Jackson announced Karen Ocamb has volunteered to help distribute ADAP information.
- Mr. Engeran-Cordova said AHF is hosting Out of the Closet 24-hour testing events – one each around Thanksgiving and World AIDS Day. The Test America campaign will also launch its mobile test van tour of 48 states on 1/3/2010. AHF is planning a June 2010 conference with its Test America partners in Washington, DC. So far there are 175 partners from 47 states. Program data will be used to examine barriers and strategies to better implement routine testing nationally.
- Mr. Baker reported the County recently hired Ryan Alsop as the new head of Intergovernmental Relations (IGR). He and Mr. Vincent-Jones met with Mr. Alsop earlier in the day to update him on recent successes and current issues like ADAP, TrOOP and AFI. Mr. Alsop was very supportive and encouraged stronger Commission and JPP advocacy.
- He committed to prioritizing ADAP and working to improve representation in Sacramento and at the Federal level. This is unusual as the County commonly focuses on specific funds entering the County rather than overall funding issues.
- Mr. Simon said most major State candidates except those for Governor will participate in a forum at the West Hollywood Auditorium, 7:00 to 9:00 pm, on 11/23/2009. It is an opportunity for advocacy.
- The City of Los Angeles CEO will report in January 2010 on possible AIDS Coordinator's Office/Department of Disabilities merger in a Human Services Department. Mr. Simon said that would harm the work and requested current structure support.

21. ADJOURNMENT: The meeting adjourned at 4:45 pm.